	Application No.	Applicant(s)
Examiner-Initiated Interview Summary	10/047,784	BARKER ET AL.
	Examiner	**Art Unit**	
	J. Derek Rutten	2192	

All Participants:

(1) *J. Derek Rutten*.

(2) *Joseph Van Leeuwen, Reg. No. 44,383*.

Status of Application: *Allowable*

(3) _____.

(4) _____.

Date of Interview: *23 February 2007*   **Time:** *2:45*

Type of Interview:
☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant   ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes   ☐ No
If Yes, provide a brief description:

Part I.

Rejection(s) discussed:
n/a

Claims discussed:
15, 23, and 25-28

Prior art documents discussed:
n/a

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

_____   _____
(Examiner/SPE Signature)   (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed:
Page 17 of the Appeal Brief filed 11/22/06 convincingly argues that the prior art does not disclose retrieving names in response to determining if an element is an instance or a non-instance as claimed in claim 1. This scenario is not adequately covered by claims 23, 26, and 28. Further, these claims appear to present possible issues with 35 U.S.C. 101, since the case of a non-instance element is not addressed and the resulting display name in that case is indeterminate. Also, recitations of "computer operable medium" found in claims 15, 25, and 28 are interpreted to be directed to a nonstatutory "signal" according to the specification, e.g. pages 11 and 21. The examiner contacted Applicant's representative to suggest an examiner's amendment to claims 23, 26, and 28 to include the features argued for on page 17 of the Appeal Brief filed 11/22/06, including retrieving a non-instance name in response to a determination that an element is a non-instance. Also, claims 15, 25 and 28 should include a recitation of "nonvolatile computer operable medium" (supported by page 11 of the specification) to provide statutory subject matter. Mr. Van Leeuwen did not agree that 101 issues were present, but in the interest of compact prosecution, agreed to amend claims 15 and 25 and cancel claims 23 and 26-28, thereby removing all remaining issues.